

H. TIM HOFFMAN (STATE BAR NO. 49141)
 ARTHUR W. LAZEAR (STATE BAR NO. 83603)
 MORGAN M. MACK (STATE BAR NO. 212659)
 HOFFMAN & LAZEAR
 180 Grand Avenue, Suite 1550
 Oakland, CA 94612
 Telephone: (510) 763-5700; Facsimile: (510) 835-1311

NEWMAN STRAWBRIDGE (STATE BAR NO. 171360)
 LAW OFFICE OF NEWMAN STRAWBRIDGE
 719 Orchard Street
 Santa Rosa, CA 95404
 Telephone: (707) 523-3377

CAMERON CUNNINGHAM (STATE BAR NO. 75593)
 LAW OFFICE OF CAMERON CUNNINGHAM
 719 Orchard Street
 Santa Rosa, CA 95404
 Telephone: (707) 829-9194

Attorneys for Plfs. Brian King, Matthew Smelser,
 and Dawn Cone

LYNNE C. HERMLE (STATE BAR NO. 99779)
 lchermle@orrick.com
 ORRICK, HERRINGTON & SUTCLIFFE LLP
 1000 Marsh Road
 Menlo Park, CA 94025
 Telephone: (650) 614-7400; Facsimile: (650) 614-7401

JULIE A. TOTTEN (STATE BAR NO. 166470)
 jatotten@orrick.com
 SARA E. DIONNE (STATE BAR NO. 221326)
 sdionne@orrick.com
 ORRICK, HERRINGTON & SUTCLIFFE LLP
 400 Capitol Mall
 Sacramento, CA 95814-4497
 Telephone: (916) 447-9200; Facsimile: (916) 329-4900

Attorneys for Defendants LUXOTTICA RETAIL NORTH
 AMERICA, INC. D/B/A LENSRAFTERS, INC.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

BRIAN KING, MATTHEW SMELSER and DAWN
 CONE, individuals, on behalf of themselves and all
 other similarly situated,

Plaintiffs,

v.

LENSCRAFTERS, INC., LUXOTTICA GROUP
 S.P.A. and Does 1 through 100,

Defendants.

Case No. 3:09-cv-03081-SI

**STIPULATION TO
 CONTINUE CASE
 MANAGEMENT
 CONFERENCE**

1 WHEREAS the Court stayed this action on February 24, 2010, pending a ruling on final
2 approval of the settlement in *Felice Martinez v. LensCrafters, Inc*, C08-01699 PJH ("*Martinez*");

3 WHEREAS the Court has scheduled a case management conference in this action on
4 April 23, 2010 and the parties are required to file a joint case management statement on April 16,
5 2010;

6 WHEREAS the hearing on final approval of the settlement in *Martinez* is currently
7 scheduled for April 14, 2010;

8 NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and between the
9 parties, through their respective counsel of record, subject to the approval of the Court, that the
10 case management conference currently set for April 23, 2010, be continued to May 14, 2010.

11 **IT IS SO STIPULATED.**

12 Dated: April 9, 2010

ORRICK, HERRINGTON & SUTCLIFFE LLP

13
14 By: _____ /s/ Sara E. Dionne
Sara E. Dionne
15 Attorneys for LUXOTTICA RETAIL NORTH
16 AMERICA, INC. D/B/A LENS CRAFTERS,
INC.

17 Dated: April 9, 2010

HOFFMAN & LAZEAR

18
19 By: _____ /s/ Morgan M. Mack
Morgan M. Mack
20 Attorneys for Plaintiffs

21 Pursuant to General Order No. 45, I hereby attest that I have concurrence to file this
22 stipulation from all parties whose signatures are indicated by a "conformed" signature (/s/) within
23 this e-filed document.



_____/s/ Sara E. Dionne
Sara E. Dionne